

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: ASBESTOS PRODUCTS
LIABILITY LITIGATION (NO. VI)**

MDL DOCKET NO. 875

This Document Relates to:

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

THRUMAN BEENE, ET AL.

PLAINTIFFS

VS.

CIVIL ACTION NO. 1:03-CV-843WJG

OWENS ILLINOIS, INC, ET AL.

DEFENDANTS

Severed Cases:

THURMAN BEENE
JANIS DURHAM
PATSY C. DIXON
ANNE BOURNONVILLE
BOBBY G. SCHRADER
JAMES CHERRY
CHARLOTTE CONNOLLY
LISA TREMBLAY
HAZEL FORD
JAMES B. MEYER
JOHN OKULSKI
STEPHEN COOKE
THOMAS TOWNSEND
CLINTON MCCLOUD
MARJORIE DECKER
RUBEN ALVARADO
MICHAEL ANDA
WALTER BALENGER
BRYAN C. BARBER
DELORES BAUM
JOHN BERENS
MARY BUBBETT
MATTHEW CARONE
TED E. CHASE
JERRY E. CLARK
MARGARET MACHINGO

PA E.D. CAUSE NO. 2:08-cv-86016
PA E.D. CAUSE NO. 2:08-cv-86017
PA E.D. CAUSE NO. 2:08-cv-86018
PA E.D. CAUSE NO. 2:08-cv-86019
PA E.D. CAUSE NO. 2:08-cv-86020
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SHEP C. HELTON
KAY EITNEIER
ROBERT G. FITZGERALD
OLIVER FROST
THOMAS W. GALLIMORE
MARY HAMILTON
RUTH HAMMOND
ROBERTY HARVEY
BARRY HIMES
DEBBIE POWELL
HOWARD JENKINS
FRANK KELLER
RICHARD LANGFORD
EVERETTE C. LEPPERT
DUDLEY H. LEAVITT, SR.
KAREN KERSTETTER
JAMES LITTLE
RONALD LIVINGSTON
CARMAN MARASCO, JR.
CATHERINE M. MCCAUGHAN
ALBERT MIRTICH
RICHARD MOORE
JUSTIN NEWMAN
DONNA J. LOTOSKI
CORNELIA ORGAN
CLAIRE PEDEN
RAYMOND PEDICONE
DANIEL PLOWE
KENNETH R. REED
JOSEPH SACAWA
CHARLES SCHMIDT
EDMUND SCHOENECKER
STELLA SHAPACH
PAUL A. SLOAN, SR.
DOROTHY SPENCER
SHIRLEY STAUDINGER
DAVID RANDALL
DEBBIE TURNER
GILLES VISSER
ESTER WHEELS
GEORGE WESSEL
MICHAEL WHITCOMB
KENNETH WINTER
JAMES WRENN

PA E.D. CAUSE NO. 2:08-cv-86042
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DENNIS ATKINS
 BEVERLY BUTAIN
 BRIAN CARTWRIGHT
 MICHAEL BARDANO
 MARY H. ENO
 MILES N. FOOR
 GEORGE HOYE
 ROSE KELLEY
 CAROLYN LAPONSEY
 TODD LOEHR
 ALFRED PACE
 RAYMOND W. PENROD, II
 KIM HUCKLEBERRY
 JANTINA VANRIET
 EARL WALTER, JR.
 HORACE WHITWORTH
 HERMAN WIGGERS
 BOBBY JONES
 BARTLEY GERRISH
 EVA M. WEAR
 ANXANIA CRAUWELS
 SHELDON SWIFT
 CLYDE THOMAS
 AGNES E. WEHROUCH
 JAMES TRIPP
 PATRICIA ROBINSON
 LYNN ALLGAIER
 MARY JANE MARRONE
 BENJAMIN ENGLE
 PETER MARCINIAK
 ROSEMARY VANEPEREN
 ROBERT KRUEGER
 MICHAEL DEWS
 RAYMOND E. KUTCHER
 VERA A. OCCHIBONE
 JALAL SEGMENT
 ROBIN WHITE
 MAYLEN MORTENSON
 BEVERLY ADAMS
 ROSALIE LICHTENSTEIN
 SANDRA C. CLAY
 ROSE TORIAN
 MARIE MCKINNON
 RUTH KEYS

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 PA E.D. CAUSE NO. 2:08-cv-86125
 PA E.D. CAUSE NO. 2:08-cv-86126
 PA E.D. CAUSE NO. 2:08-cv-86127
 PA E.D. CAUSE NO. 2:08-cv-86128
 PA E.D. CAUSE NO. 2:08-cv-86129

MARIE-LOUISE ROY
MARCELLA STEVENSON
ALICE BELL

PA E.D. CAUSE NO. 2:08-cv-86130
PA E.D. CAUSE NO. 2:08-cv-86131
PA E.D. CAUSE NO. 2:08-cv-86132

**JOHN CRANE, INC'S MOTION FOR SHOW CAUSE ORDER FOR FAILURE TO
COMPLY WITH ADMINISTRATIVE ORDER NO. 12 AND
FEDERAL RULE OF CIVIL PROCEDURE 41(b)**

Comes now John Crane, Inc. (hereinafter "Moving Defendant") and pursuant to t his Court's Order of December 18, 2008, files this it's Motion for Entry of Show Cause Order for Failure to Comply with Administrative Order No. 12 and would respectfully show unto the Court as follows:

1. Each of the above listed Plaintiffs have claims against various defendants including Moving Defendant in MDL 875. To date, Moving Defendant has no received the disclosures required by Administrative Order No. 12 from any of these Plaintiffs. To Moving Defendant's knowledge, information and belief, the above listed Plaintiffs have failed to comply with Administrative Order No. 12 in any manner.

2. Moving Defendant seeks dismissal of all claims filed by the above referenced Plaintiffs against Moving Defendant including, without limitation, strict liability, negligence, breach of warranty, and conspiracy claims.

3. Pursuant to the attached Certificate of Service, Counsel for Moving Defendant has served upon Counsel for the above listed Plaintiffs a copy of this Motion for Entry of Show Cause Order.

WHEREFORE, John Crane, Inc. respectfully request that the Court enter a Show Cause Order why these Plaintiffs' claims should not be dismissed and in the event that any or all of the

above listed Plaintiffs fail to comply with such Show Cause Order, further request that the Court enter an Order dismissing these actions pursuant to *FED. R. Civ. P.* 41.

Respectfully submitted,
JOHN CRANE, INC.

BY: s/Carey R. Varnado
CAREY R. VARNADO (MSB 6593)
MICHAEL C. MOORE (MSB 99989)
MONTAGUE, PITTMAN & VARNADO
P.O. Drawer 1975
Hattiesburg, MS 39403-1975
(601) 544-1234; FAX: (601) 544-1280

CERTIFICATE OF SERVICE

I, **CAREY R. VARNADO**, of the law firm of **MONTAGUE, PITTMAN & VARNADO, P.A.**, do hereby certify that I have this date electronically filed **JOHN CRANE, INC'S MOTION FOR SHOW CAUSE ORDER FOR FAILURE TO COMPLY WITH ADMINISTRATIVE ORDER NO. 12** with the Clerk of the Court using the ECF system which sent notification of such to all counsel of record and I hereby certify that I have mailed by United States Postal Service the document to all non-ECF participants.

THIS, the 30th day of January, 2009.

S/Carey R. Varnado
CAREY R. VARNADO (MSB 6593)
MONTAGUE, PITTMAN & VARNADO P.A
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